

1  
2  
3  
4 UNITED STATES DISTRICT COURT  
5 NORTHERN DISTRICT OF CALIFORNIA  
6

7 RICHARD WADE FARLEY,  
8 Petitioner,

9 v.

10 RON DAVIS, Warden, San Quentin  
11 State Prison,

12 Respondent.

Case No. 16-cv-4443-PJH

DEATH PENALTY CASE

**ORDER DENYING *PRO SE* MOTION**


13 **INTRODUCTION**

14 The Court is in receipt of Farley's pro se letter filed April 27, 2017, wherein he  
15 seeks an Order granting access to an electronic version of his trial transcripts and a  
16 computer system in his cell on which to view the transcripts. See ECF Doc. 21.

17 Farley is represented by counsel and represented parties do not have the right to  
18 proceed *pro se*. See *United States v. Olano*, 62 F.3d 1180, 1193 (9th Cir. 1995). The  
19 "right to counsel and the right to proceed pro se are disjunctive rights." *United States v.*  
20 *Crowhurst*, 629 F.2d 1297, 1301 (9th Cir. 1980). Here, Farley has two attorneys acting  
21 on his behalf who are able to file any motion that, in their professional judgment, they  
22 deem to have merit. Thus, any motion Farley wishes to present to the Court must be  
23 filed through his counsel of record. Accordingly, this motion is DENIED.

24 **IT IS SO ORDERED.**

25  
26 Dated: May 10, 2017

27   
28 PHYLLIS J. HAMILTON  
United States District Judge